

DRAFT

Honorable William L. Dawson
Chairman
Committee on Government Operations
House of Representatives
Washington, D. C.

Dear Chairman Dawson:

This is in response to your request for the views of this Agency on H. R. 9878, 89th Congress, a bill "To amend the Administrative Expenses Act of 1946 to prohibit, except in certain instances, the expenditure of any funds by any executive department or agency of the United States for the acquisition or use of a polygraph (lie detector) machine."

We appreciate this opportunity to comment upon the proposed legislation and respectfully invite your attention to our classified testimony before the Subcommittee on Foreign Operations and Government Information on 10 and 11 June 1965 where we expressed our views on both the limitations and value of the polygraph. We continue to feel that the polygraph makes a positive and significant contribution to our assessment capabilities in security investigations and other sensitive activities of this Agency. Its use in these connections is inextricably involved in the security responsibilities of the Director of Central Intelligence.

For your information, the National Security Act of 1947, as amended, provides, in part, as follows:

"That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;..." (50 U.S.C. 401)

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The Director has determined that the assessment of personnel who are employed by this Agency is a necessary part of fulfilling this responsibility.

We support the exception authorized in Section 21(b)(1) of the Bill which would authorize the use or acquisition of a polygraph when it is determined to be "...of extraordinary necessity in protecting the national interest." We feel that this exception would grant the Director of Central Intelligence authority to exercise the security responsibilities imposed upon him by law. However, the requirement imposed upon the head of an agency to make a determination for each polygraph acquired and for each instance of use would create special problems for this Agency/since a polygraph evaluation would continue to be required of all regular employees entering on duty with this Agency. Therefore, we recommend that there be added to the sentence which ends on Line 12, Page 2, the following proviso:

"; Provided, That where the responsibility for such determination is made by such head pursuant to law, the requirement for such authorization shall not apply."

We will be happy to provide any additional information that your committee may request.

The Bureau of the Budget advised that, from the standpoint of the Administration's program, there is no objection to the submission of this report.

Sincerely,

Richard Helms
Deputy Director